

**BERWICK TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
MARCH 14, 2016**

CALL TO ORDER & PLEDGE TO THE FLAG: The March 14, 2016 regular meeting of the Berwick Township Board of Supervisors was held in the Berwick Township Municipal Building, 85 Municipal Road, Hanover, PA. Chairman Socks called the meeting to order at 6:00 p.m. Present were Supervisors Pete Socks, Earle Black, Barry Cockley, Tom Danner, Bob Foltz, Solicitor Tim Shultis, Engineer Tim Knoebel, Secretary Jean Hawbaker. Chairman Socks asked all to stand for the Pledge of Allegiance to the Flag.

PUBLIC COMMENTS (AGENDA ITEMS): None.

UNITED HOOK & LADDER (UHL): Assistant Chief, Nick Shaffer stated there were 10 calls in Berwick, and 59 total calls. Mr. Shaffer commented on the fire at the Brethren Home, and common sense burning.

CONSENT AGENDA: Supervisor Cockley made a motion to approve the minutes of February 8, 2016, bill lists, unpaid bill lists and balance sheets dated March 11, 2016, and Roadmaster's report for February 2016, seconded by Supervisor Danner. Supervisor Black had questions on the bill lists, one of which will need to be discussed in executive session. Supervisor Danner stated the minutes should reflect the two bridges being replaced are located on Route 30 and Route 194. **Roll Call: Black – yes, Foltz – yes, excluding the minutes since he did not attend the last meeting, Cockley – yes, Socks – yes, Danner – yes. Motion carried.**

CORRESPONDENCE:

- 1) Adams County Rescue Mission letter received February 29, 2016. The Mission returned the \$500.00 donation that was earmarked for the recycling program, because electronic markets have dissolved.
- 2) Linda Siegle letter received March 11, 2016.

UNFINISHED BUSINESS:

- 1) **Weight Limit Restrictions on Roads (Abbottstown Letter received February 15, 2016 and Penn Township March 8, 2016)** – Both Entities are in agreement with the placement of these signs, as long as Berwick pays for the cost of installation and maintenance. The Board will review the proposed Ordinance that was previously prepared by the Solicitor by the next meeting.
- 2) **Update of the NOMA Sewer Transition** – Tim Shultis stated Mr. Shambaugh retired from AUS Consultants, and will be opening up his own business. AUS is permitting us to withdraw, and we received a new contract from Mr. Shambaugh. Supervisor Socks made a motion to accept the contract from Mr. Shambaugh to perform a limited review rate analysis, seconded by Supervisor

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Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Supervisor Foltz abstained since he is an employee at the sewer plant. Motion carried.**

- 3) **Update on Building Inspection/Code Enforcement RFP's** – Supervisor Danner is going to discuss this issue with a couple of the firms. Supervisor Foltz stated someone should be hired part time. Supervisor Black stated we could ask Mike Hartman to work part time. Supervisor Foltz made a motion to schedule a workshop on April 1, 2016 at 1:00 p.m., and authorized advertisement to discuss Zoning and Code Enforcement duties, review RFP's from third party agencies, and any other business that may come before the Board, seconded by Supervisor Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

Supervisor Cockley made a motion to authorize advertisement for a part time permit/zoning and code enforcement officer, not to exceed 15-30 hours per week. Responses must be received by March 30, 2016, seconded by Supervisor Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

- 4) **Criteria for Serving on Various Township Board's** – This was in response to a question asked at the last meeting. The Board acted in the best interest of the township.
- 5) **Human Resource Manual Update** – Supervisor Danner stated some legalities have been updated, and the Board should review what is highlighted in yellow. This issue was tabled until the next meeting.
- 6) **Temporary Permit Officer** – Supervisor Socks made a motion to appoint Jean Hawbaker as temporary permit officer, seconded by Supervisor Danner. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 7) **Temporary Zoning Officer** – Supervisor Socks made a motion to appoint KPI Technology as temporary zoning officer, seconded by Supervisor Foltz. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

ENGINEER'S REPORT

- 1) **WWTP Operations Report** – February 2016 – The Chapter 94 Reports have been completed.
- 2) **Pending Plan Report** – No action items
- 3) **All Pure Bond Reduction** – Supervisor Cockley made a motion to release \$63,892.70 of financial security, retaining \$2,500.00 to ensure final touch up work in the spring, seconded by Supervisor Foltz. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

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- 4) **Road Occupancy Permits** – Mr. Knoebel stated the township needs a Road Occupancy Ordinance. Supervisor Cockley made a motion to authorize the Solicitor to draft a Road Occupancy Ordinance

for review, seconded by Supervisor Foltz. **Roll Call: Danner – yes, Foltz – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

NEW BUSINESS:

- 1) **Governmental Accounting Standards Board (GASB) 67 and 68 Reports for Pension Plan** – The Township received a letter from Smith Elliott Kearns stating this report is not required to perform the audit, and prepared a letter to send to the Trustees Insurance Retirement Service. Supervisor Danner made a motion to decline the request as per the advice of Smith Elliott Kearns, seconded by Supervisor Socks. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes. Supervisor Foltz abstained since he is a member of the pension plan. Motion carried.**
- 2) **United Hook & Ladder Box Alarm Card Review** – Supervisor Danner made a motion to accept the box alarm card revisions, seconded by Supervisor Foltz. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 3) **Deputy Tax Collector Appointment (Res. #16-07)** – Supervisor Socks made a motion to adopt Resolution #16-07 appointing Tammie Knight as the Deputy Tax Collector for Berwick Township, seconded by Supervisor Cockley. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**
- 4) **Previous Tax Collector, Lori Foltz’s Continuing Education Classes** – Supervisor Danner stated Ms. Foltz was not reimbursed for any continuing education classes.
- 5) **Smith Elliott Kearns Audit Results** – Supervisor Socks stated there were no issues found.
- 6) **Hershey Heights Road – Shank’s Property Corner Issue** – Supervisor Foltz stated tractor trailers are mowing down delineators and ruining the culverts and we need to do something about it. Supervisor Socks made a motion for the Solicitor to research this issue and possibly look at a jersey wall, seconded by Supervisor Foltz. **Roll Call: Danner – yes, Foltz – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 7) **Additional Camera** – Supervisor Foltz stated another camera is needed aimed at the recycling trailer to capture license plates, because of junk being dropped off, which has to be loaded and taken to Neiderer’s. The Board agreed on finding out what the possibilities are, and will discuss at their next meeting.
- 8) **Comcast Contract Renewal** – Supervisor Socks stated a contract renewal was received from Comcast in the amount of \$164.75 per month and Embarq was \$180.00 per month. Supervisor Socks made a motion to accept the Comcast renewal contract, seconded by Supervisor Danner.

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Roll Call: Danner – yes, Foltz – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried. The Secretary was instructed to have the old modem replaced at no charge as stated by Comcast.

- 9) **Electric Rates** – Supervisor Danner made a motion to accept the quote from Direct Energy for all township electric accounts for a 3 year period at a price of \$0.0599/kWh without GRT, and

\$0.06365/kWh with GRT, seconded by Supervisor Socks. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

- 10) **J.P. Harris and York Adams Tax Bureau Contracts for Collection of Delinquent Per Capita Taxes** – Supervisor Foltz made a motion to accept the contract with York Adams Tax Bureau for collection of delinquent per capita taxes since their charges to the taxpayer are cheaper than J.P. Harris, seconded by Supervisor Black. **Roll Call: Black – yes, Cockley – yes, Socks – yes, Danner – yes, Foltz – yes. Motion carried.**

PERMIT REPORT:

5 permits issued in February 2016

SOLICITOR'S REPORT:

- 1) Oral argument before Superior Court regarding the O'Brien matter is scheduled on April 20, 2016 at 9:30 a.m.
- 2) On March 18, 2016 at 10:00 a.m. in the Adams County Courthouse is the sheriff's sale regarding the Clint Heintzelman property, which has a sewer lien. Supervisor Socks authorized Tim Shultis to attend this sale, seconded by Supervisor Foltz. **Roll Call: Danner – yes, Foltz – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**
- 3) Waiting to hear back from Adams County District Attorney on the township's police ordinance.
- 4) Sent a letter to Bob Chemicoff regarding Insite Development's lack of payment on their bankruptcy plan.
- 5) Sent an enforcement letter to the Stanley Drive property regarding the fuel oil spill.

SUPERVISOR'S COMMENTS:

Bob Foltz – There are three properties that should be condemned and torn down. (310 Green Springs Road, 720 Green Springs Road and 474E Hershey Heights Road). Mr. Shultis was instructed to start the process on motion of Supervisor Foltz, seconded by Supervisor Black. **Roll Call: Foltz – yes, Danner – yes, Socks – yes, Cockley – yes, Black – yes. Motion carried.**

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Tom Danner – The workshop advertisement should also include any other items that may come before the Board.

Pete Socks – None.

Barry Cockley – None.

Earle Black – None.

PUBLIC COMMENT (GENERAL):

- 1) **Keith Jacobson – 50 Municipal Road** – So the criteria to serve on the township's boards are that you have to act in the best interest of the township. Supervisor Danner stated that was not what he said. The township acted in its best interest. Tim Shultis stated the question was what are the township's criteria on making a selection for vacancies.
- 2) **Ken Kershaw – Stanley Drive** – If you put up curbing along Hershey Heights Road where the box culvert is, the road is not that wide, and you can't see around it now. It is setting the township up for a lawsuit. The Solicitor will research what the township can and cannot do.

The Board went into executive session at 7:35 p.m. to review and discuss agency business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or confidentially protected by law.

The Board came out of executive session at 7:49 p.m.

Supervisor Socks made a motion to adjourn, seconded by Supervisor Cockley. Motion carried.

The next regularly scheduled meeting of the Berwick Township Board of Supervisors will be held on April 11, 2016, 6:00 p.m. at 85 Municipal Road, Hanover, PA 17331

Respectfully submitted,

Jean A. Hawbaker, Secretary
**BERWICK TOWNSHIP
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